

Receipt

0459-0638P

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: STEPHEN EDWARD REES et al

Serial No.: 09/890,801

Group:

Filed: October 30, 2001

Examiner:

For: AUTOMATIC LUNG PARAMETER ESTIMATOR

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REQUEST FOR A CORRECTED OFFICIAL FILING RECEIPT

Honorable Commissioner of Patents
and Trademarks
Washington, D.C. 20231

Sir:

Attached hereto is the Official Filing Receipt in connection with
the above-identified application.

THE FOLLOWING CORRECTION(S) IS/ARE RESPECTFULLY REQUESTED:

SECOND NAMED APPLICANT(S) --

Change From: "GEON STEEN TOFT"

To: --EGON STEEN TOFT--

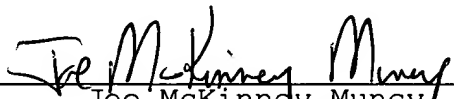
It is respectfully requested that the United States Patent and
Trademark Office forward a new Filing Receipt showing the correction(s)
to the undersigned attorney as listed on the enclosed photocopy of our
Declaration and Power of Attorney Document.

The correction(s) is/are due to an error by the United States
Patent and Trademark Office, therefore no fee is due.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. 1.16 or under 37 C.F.R. 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By: 
Joe McKinney Muncy
Reg. No. 32,334

P.O. Box 747
Falls Church, VA 22040-0747

Attachment
KM/srw
(703)205-8000



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING DATE	GRP ART UNIT	FIL FEE REC'D	ATTY. DOCKET NO	DRAWINGS	TOT CLAIMS	IND CLAIMS
09/890,801	10/30/2001	3736	765	0459-0683P 638P	10	50	3

CONFIRMATION NO. 7859

2292
BIRCH STEWART KOLASCH & BIRCH
PO BOX 747
FALLS CHURCH, VA 22040-0747

REPLACEMENT FILING RECEIPT



OC000000007173102

Date Mailed: 12/07/2001

Receipt is acknowledged of this nonprovisional Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please write to the Office of Initial Patent Examination's Customer Service Center. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Stephen Edward Rees, Aalborg, DENMARK; ✓
Geon Steen Toft, Aalborg, DENMARK;
Per Thorgaard, Aalborg, DENMARK;
Soren Christensen Kjaergaard, Aalborg, DENMARK;
Steen Andreassen, Aalborg, DENMARK;

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Domestic Priority data as claimed by applicant

THIS APPLICATION IS A 371 OF PCT/DK00/00040 02/01/2000

Foreign Applications

DENMARK PA199900129 02/03/1999
DENMARK PA199900649 05/12/1999
DENMARK PA199900859 06/17/1999

Projected Publication Date: Not Applicable, filed prior to November 29, 2000

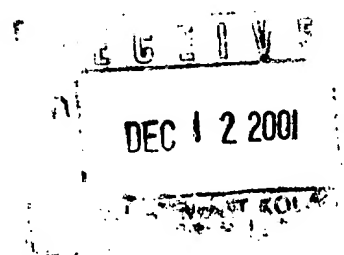
Non-Publication Request: No

Early Publication Request: No

** SMALL ENTITY **

Title

Automatic lung parameter estimator ✓



Preliminary Class

600

**LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15**

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The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Office of Export Administration, Department of Commerce (15 CFR 370.10 (j)); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

NOT GRANTED

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).

BIRCH, STEWART, KOLASCH & BIRCH, LLPP.O. Box 747 • Falls Church, Virginia 22040-0747
Telephone: (703) 205-8000 • Facsimile: (703) 205-8050**COPY**PLEASE NOTE:
YOU MUST
COMPLETE THE
FOLLOWING**COMBINED DECLARATION AND POWER OF ATTORNEY
FOR PATENT AND DESIGN APPLICATIONS**

As a below named inventor, I hereby declare that: my residence, post office address and citizenship are as stated next to my name; that I verily believe that I am the original, first and sole inventor (if only one inventor is named below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Insert Title:

AUTOMATIC LUNG PARAMETER ESTIMATORFill in Appropriate
Information -
For Use Without
Specification
Attached:

the specification of which is attached hereto. If not attached hereto,

the specification was filed on August 3, 2001 as
United States Application Number _____;
and amended on August 3, 2001 (if applicable) and/or
the specification was filed on February 1, 2000 as PCT
International Application Number PCT/DK00/00040; and was
amended under PCT Article 34 on April 27, 2001 (if applicable)

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, §1.56.

I do not know and do not believe the same was ever known or used in the United States of America before my or our invention thereof, or patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representative or assigns more than twelve months (six months for designs) prior to this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigns, except as follows.

I hereby claim foreign priority benefits under Title 35, United States Code, §119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)**Priority Claimed**Insert Priority
Information:
(if appropriate)

<u>PA 1999 00129</u> (Number)	<u>Denmark</u> (Country)	<u>February 3, 1999</u> (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>PA 1999 00649</u> (Number)	<u>Denmark</u> (Country)	<u>May 12, 1999</u> (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<u>PA 1999 00859</u> (Number)	<u>Denmark</u> (Country)	<u>June 17, 1999</u> (Month/Day/Year Filed)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
_____ (Number)	_____ (Country)	_____ (Month/Day/Year Filed)	<input type="checkbox"/> Yes	<input type="checkbox"/> No

I hereby claim the benefit under Title 35, United States Code, §119(e) of any United States provisional applications(s) listed below.

Insert Provisional
Application(s):
(if any)

_____ (Application Number)	_____ (Filing Date)
_____ (Application Number)	_____ (Filing Date)

All Foreign Applications, if any, for any Patent or Inventor's Certificate Filed More than 12 Months (6 Months for Designs) Prior to the Filing Date of This Application:

Country	Application Number	Date of Filing (Month/Day/Year)
_____	_____	_____
_____	_____	_____

Insert Requested
Information:
(if appropriate)

I hereby claim the benefit under Title 35, United States Code, §120 of any United States and/or PCT application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States and/or PCT application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose information which is material to the patentability as defined in Title 37, Code of Federal Regulations, §1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application.

Insert Prior U.S.
Application(s):
(if any)

_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)
_____ (Application Number)	_____ (Filing Date)	_____ (Status - patented, pending, abandoned)

I hereby appoint the following attorneys to prosecute this application and/or an international application based on this application and to transact all business in the Patent and Trademark Office connected therewith and in connection with the resulting patent based on instructions received from the entity who first sent the application papers to the attorneys identified below, unless the inventor(s) or assignee provides said attorneys with a written notice to the contrary:

Raymond C. Stewart (Reg. No. 21,066)
 Joseph A. Kolasch (Reg. No. 22,463)
 Bernard L. Sweeney (Reg. No. 24,448)
 Charles Gorenstein (Reg. No. 29,271)
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 Joe McKinney Muncy (Reg. No. 32,334)
 John W. Bailey (Reg. No. 32,881)
 Gary D. Yacura (Reg. No. 35,416)
 Mark J. Nuell (Reg. No. 36,623)

Terrell C. Birch (Reg. No. 19,382)
 James M. Slattery (Reg. No. 28,380)
 Michael K. Mutter (Reg. No. 29,680)
 Gerald M. Murphy, Jr. (Reg. No. 28,977)
 Terry L. Clark (Reg. No. 32,644)
 Marc S. Weiner (Reg. No. 32,181)
 Donald J. Daley (Reg. No. 34,313)
 John A. Castellano (Reg. No. 35,094)
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**PLEASE NOTE:
 YOU MUST
 COMPLETE
 THE
 FOLLOWING:**

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full Name of First
 or Sole Inventor:
 Insert Name of
 Inventor →
 Insert Date This
 Document is Signed


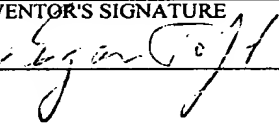
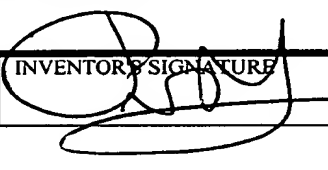

Insert Residence
 Insert Citizenship →

Insert Post Office
 Address →

Full Name of Second
 Inventor, if any:
 see above

Full Name of Third
 Inventor, if any:
 see above

Full Name of Fourth
 Inventor, if any:
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*DATE OF SIGNATURE

Full Name of Fifth
Inventor, if any:
see above

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GIVEN NAME/FAMILY NAME	INVENTOR'S SIGNATURE	DATE*
Residence (City, State & Country)	CITIZENSHIP	
MAILING ADDRESS (Complete Street Address including City, State & Country)		

Full Name of Sixth
Inventor, if any:
see above

Full Name of Seventh
Inventor, if any:
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Bib Data Sheet

CONFIRMATION NO. 7859

SERIAL NUMBER 09/890,801	FILING DATE 10/30/2001 RULE	CLASS 600	GROUP ART UNIT 3736	ATTORNEY DOCKET NO. 0459-0683P
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APPLICANTS

Stephen Edward Rees, Aalborg, DENMARK;
Egon Steen Toft, Aalborg, DENMARK;
Per Thorgaard, Aalborg, DENMARK;
Soren Christensen Kjaergaard, Aalborg, DENMARK;
Steen Andreassen, Aalborg, DENMARK;

**** CONTINUING DATA *******

THIS APPLICATION IS A 371 OF PCT/DK00/00040 02/01/2000

**** FOREIGN APPLICATIONS *******

DENMARK PA199900129 02/03/1999
DENMARK PA199900649 05/12/1999
DENMARK PA199900859 06/17/1999

IF REQUIRED, FOREIGN FILING LICENSE GRANTED ** SMALL ENTITY **
** 02/13/2002

Foreign Priority claimed <input type="checkbox"/> yes <input type="checkbox"/> no	STATE OR COUNTRY DENMARK	SHEETS DRAWING 10	TOTAL CLAIMS 50	INDEPENDENT CLAIMS 3
35 USC 119 (a-d) conditions met <input type="checkbox"/> yes <input type="checkbox"/> no <input type="checkbox"/> Met after Allowance				
Verified and Acknowledged Examiner's Signature _____ Initials _____				

ADDRESS

2292

TITLE

Automatic lung parameter estimator

FILING FEE RECEIVED 765	FEES: Authority has been given in Paper No. _____ to charge/credit DEPOSIT ACCOUNT No. _____ for following:	<input type="checkbox"/> All Fees
		<input type="checkbox"/> 1.16 Fees (Filing)
		<input type="checkbox"/> 1.17 Fees (Processing Ext. of time)
		<input type="checkbox"/> 1.18 Fees (Issue)
		<input type="checkbox"/> Other _____
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